

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Ashley V. Arroyo

DEFENDANTS

Forever Young Social Adult Day Care, Inc., Bruckner Forever Young Social Adult Care, Inc., Eastchester's Forever Young Social Adult Day Care, Inc., Felix Gershkovitch and John Doe 1-10

ATTORNEYS (IF KNOWN)

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Norris McLaughlin & Marcus, P.A.

875 Third Ave., 8th Floor

869 Third Ave., Suite 100
New York, NY 10022

NEW YORK, NY 10022
(212) 808-0700

CAUSE OF ACT

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE SEEKING RELIEF)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE PLEADING
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

FLSA - unpaid wages

Judge Previously Assigned

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/			[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[] 625 DRUG RELATED	[] 422 APPEAL	[] 376 QUI TAM
[] 130 MILLER ACT	LIAIBILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	[] 365 PERSONAL INJURY	21 USC 881	28 USC 157	REAPPORTIONMENT
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	PRODUCT LIABILITY	[] 690 OTHER		[] 410 ANTITRUST
[] 151 MEDICARE ACT	[] 340 MARINE	[] 368 ASBESTOS PERSONAL INJURY			[] 430 BANKS & BANKING
[] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY	INJURY PRODUCT LIABILITY			[] 450 COMMERCE
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 350 MOTOR VEHICLE	PERSONAL PROPERTY			[] 460 DEPORTATION
[] 160 STOCKHOLDERS SUITS	[] 355 MOTOR VEHICLE	[] 370 OTHER FRAUD			[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 190 OTHER CONTRACT	PRODUCT LIABILITY	[] 371 TRUTH IN LENDING			[] 480 CONSUMER CREDIT
[] 195					[] 490 CABLE/SATELLITE TV
[] 196 FRANCHISE	ACTIONS UNDER STATUTES	[] 360 OTHER PERSONAL INJURY	LABOR		
	CIVIL RIGHTS	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 861 HIA (1395f)	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE
			[] 385 PROPERTY DAMAGE	[] 862 BLACK LUNG (923)	
			PRODUCT LIABILITY	[] 863 DIWC/DIWV (405(g))	
				[] 864 SSID TITLE XVI	
				[] 865 RSI (405(g))	
		PRISONER PETITIONS			[] 890 OTHER STATUTORY ACTIONS
		[] 463 ALIEN DETAINEE	[] 710 FAIR LABOR STANDARDS ACT		[] 891 AGRICULTURAL ACTS
		[] 510 MOTIONS TO VACATE SENTENCE	[] 720 LABOR/MGMT RELATIONS		
		28 USC 2255	[] 740 RAILWAY LABOR ACT		
			[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)		
		[] 530 HABEAS CORPUS	[] 790 OTHER LABOR LITIGATION	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 893 ENVIRONMENTAL MATTERS
		[] 535 DEATH PENALTY	[] 791 IRS-THIRD PARTY	[] 871 IRS-THIRD PARTY	[] 895 FREEDOM OF INFORMATION ACT
		[] 540 MANDAMUS & OTHER	26 USC 7609		
			SECURITY ACT (ERISA)		
					[] 896 ARBITRATION
					[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
REAL PROPERTY			IMMIGRATION		
[] 210 LAND CONDEMNATION	[] 441 VOTING	PRISONER CIVIL RIGHTS			
[] 220 FORECLOSURE	[] 442 EMPLOYMENT		[] 462 NATURALIZATION		
[] 230 RENT LEASE & EJECTION	[] 443 HOUSING/ ACCOMMODATIONS		APPLICATION		
[] 240 TORTS TO LAND	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS	[] 465 OTHER IMMIGRATION		
[] 245 TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 555 PRISON CONDITION	ACTIONS		
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			[] 950 CONSTITUTIONALITY OF STATE STATUTES

Check if demanded in complaint:

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented | | | | | | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |
| <input type="checkbox"/> b. At least one party is pro se. | | | | | | |

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [x] 1	DEF [x] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Ashley V. Arroyo
785 East 151st Street
Apt. 7
Bronx, New York 10456

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Forever Young Social Adult Day Care Inc.
3305 Third Avenue
Bronx, New York 10456
Felix Gershkovich
3305 Third Avenue

Eastchester's Forever Young Social Adult Day Care Inc.
2050 Eastchester Road
Bronx, New York 10461
Bruckner Forever Young Social Adult Day Care Inc.
80 Bruckner Boulevard

DEFENDANT(S) ADDRESS UNKNOWN

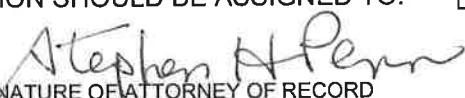
REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.
DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 5/10/2017 SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
[x] YES (DATE ADMITTED Mo. 12 Yr. 1962)
Attorney Bar Code # 1489236

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)